C — Reserve

App. F. IX-1

1935-36
(Mug)
3

Mug File No. 182-35

Serial Nos. 1-4

Previous References

Mug 278-31-A-2
Mug 227-1895-96
Mug, 1-20-1-29

Letter References.

Mug 129 09--1 to
" 203-29-1-2

Mug 104-21-1--2
" 5C6-46-1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 4

Part B for February 1936

SUBJECT.

Distribution of Thalavasa Rice Allowance
Melkote Temple through Gumastas

No 1062 Dt 5-2-1936

To

WD 03607—GPB—22,500—2-8-35

The Deputy Commissioner
informs that Govt has no
reason to interfere in the
matter and rejects the petitions
of the Petitioners

Petition dated 25.8.1935
From Mr. M. Ranga Char
Dewandar of Vakkaleyara village
T. Narsipur Taluk

This Appeal is against the order dated 12th January 1935 passed by the H.C in allowing the petitioner's claim to receive the Shanbhoga Rice allowance through an agent.

The references quoted by the petitioner are perfect. The Sanad dated 13th December 1814 said to have been granted to the petitioner ancestor by His late Highness Sri Krishnaraj Wadeyar IV is not now furnished by the petitioner, along with the appeal petition as and he states that he will do it to the D.C office on 20.1.35

2) The present petition must be construed as an appeal under Section 38(2) of the Regulation 1927 and under clause (5) of the Section only, 90 days are allowed for preferring such an appeal against the H.C's order. Besides the proviso under this Section regarding computing the period of limitation is not also applicable to the case as the petitioner had applied for a copy of the H.C's order only on 19.7.1935 long after the period of limitation.

NOTE—Contn. Sheet.

File No. of 193 .

3
The petition is prima facie time-barred and may have to be rejected on this ground.
4 So far as records are concerned & the petition they can be noted upon only after the connected records with the documents on which the petition is based are received

5 A report may be called for from the M.C. 8/6/19

6 [illegible] 7/9/19

Gen. Secy)

8/7/19

Issue on the petition is pressed

9/9/19

9/10/19

Petition sent to M-C with no. 377 & 10-8-35

Letter No. HC 26/38: 62-3 dt.

From the Municipal Commissioner

Forwarding the records with a petition as called for.

9) This case relates to the claims of the petitioner for the right to receive Sthalathara Allowance at Melkote and other honours in the Sri Narayanaswami Temple through a gumasta resident at Melkote. The petitioner has based his claims on the Nirup dated 13th December 1914 granted by His late Highness Sri Krishnaraja Wadiar Bahadur to his grand father. Plan A is the original Nirup referred to above and Plan B is the printed copy of it. In this Nirup, mention is clearly made that the Sthalavathara etc may be distributed to the grantee through his Brahmin gumasta resident at Melkote. The distribution of this allowance is said to have continued till about 1932 when it has stopped under the authority of the G.O. dated 30th May 1932 issuing Rules on the subject. Rule 2 of these Rules clearly lays down Residence at Melkote is a necessary condition to receive the allowance and no right to appoint a gumasta in receiving it will be recognised.

10) The Municipal Commissioner has in para

2 ꝯ his order dated 12.1.1893 passed in appeal stated that "the late Munsiff Subbiah Sundaram's Memorandum dated 12th January 1892 and G.O dated 8th February 1892 passed thereon make it quite clear that even so early as 1819 His Highness the Maharaja laid down that residence at Nellore was essential and all further orders are based upon this instructions. It must therefore be deemed that any special privileges that might have been granted to individuals prior to 1819 ceased with the Fasdik patti of that year. In those circumstances the claim was put forward (by the petitioner) should be negatived and the terms of the G.O. dated 30th May 1892 should be strictly enforced".

(1) It is against the above order of the Munsiff Commissioner has now preferred an appeal, on the following grounds.

(i) That the M.C erred in the interpretation of the G.O. dated 8.2.1892 in that, that this G.O. could not override the express orders of H.H. which has pleased to make an exception in this case; (Reference to in the Note)

(ii) That the order of 1819 (~~[illegible]~~ of H.H. mentioned in the order of the M.C does not apply to cases in which an exception has been made;

(iii) That the Court that the Plaintiff has established

Use Rice Allowance

Serial No.

to be disbursed to the petitioner through his agent upto 1932 clearly shows that effect has not been given to the Mungrai Superintendent's Note of January 1892 and orders passed thereon; and (iv) that wholesome and respectful view should be taken of His Highness the Maharaja's wishes as has been observed in the G.O. dated 2.4.1921.

A perusal of the Mungrai Superintendent Note dated 12.1.1892, shows that even in 1891 H.H. the late Maharajah laid down in very clear terms, that residence at Herkote was essential to entitle the recipient to receive the Shalwar allowance and that all further orders on the point are only consistent with and based on this injunction, including the latest G.O. dated 30th May 1932, as observed by the Mungrai commissioner. In the result the view taken by the H.C that the petitioner's claim should be negatived and the terms of the latter G.O. should be strictly enforced, seems to be tenable.

The papers of the petitioner is submitted for orders.

20/1/21

(sd) The above note is for perusal. The M.C.O. case is in accordance with Standing orders and the instructions contained in the office manual.

Case-workers are not permitted to express their opinion in any case. As I cannot initial the note of a case-worker, which I am not prepared to accept, I have made these remarks, since I am not permitted to make such cases as contemplated in accordance with para 62 of the office manual.

NOTE—Cover Sheet to be used in all cases.

WD 03594—GPB—30,000—13 7 35

File No. of 193 5

And the appeal rejected.

22/1/36

Gen. Secy)

2nd 25/1 25/1/36

First Member)

I agree

Spr

(The G' Secy will perhaps send note up)

Spr 30/1

Please issue order on appeal & put up

Spr 31/1/36

31/1/36

A draft endmt to the petitioner rejecting the appeal is put up.

2nd 4/2

3/2/36

GENERAL BRANCH
22 JAN. 1936
OFFICE OF THE FIRST MEMBER
29 JAN. 1936
No. 529 3

Serial No.

petition is filed.

[illegible]

GENERAL SECTT. DEPTT. 164

21/ File dismissed as directed in para 18 supra by the General Secretary.

5/2/36

Gen: Secy) Will A/s please speak to me

19/2

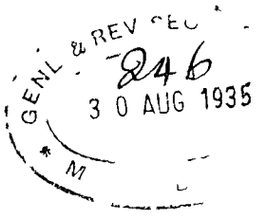
I have mistaken the Rt. Hon'ble M/r Reto What the Gen: Secy told me in M/r Reto writing notes in the margin on Correcting Casehistorian's notes & Memo of this kind & he has agreed not to give room for many of the kind in future. In fact he has been following the mistakes correctly me & the Gen: Secy for sometime past. File

20/2/36

B

20/2

WD 03594—GPB—30,000—13-7 35



Muz 182-35-1

BEFORE THE GOVERNMENT OF THE MAHARAJA OF MYSORE.

Muzerai Memorial No: of 1935-36.

Applicant:- M.Rangachar, Inamdar of Sarvamanya Vkkalegere Village, T.Narasipur Taluk and grandson in the direct line of Karur Sreenivasachar Samukhada Vidwan of the Palace.

The applicant most respectfully begs to submit and prays as follows:-

1. That his ancestor was a recepient of Sthalavasi Rice allowance from Melkote Temple as per nirup of His Highness Mummdi Krishnaraja Wodeyar Bahadur.

2. That on a representation from the grand-father of the petitioner, His Highness graciously issued another nirup dated 13-12-1814 permitting the Sthalavasi Rice to be received through an agent. The said Sanad in original was submitted to the Deputy Commissioner, Mysore District on 20-1-1933.

3. That the Deputy Commissioner thereupon made a representation to the Muzerai Commissioner for orders as the Sthalavasi Rice had been stopped as per orders of Government No: 1736-37 Muz. 27-8-31-2 dated 30th May 1932.

4. That the Muzerai Commissioner in his order No:R.Dis.122/34-35 dated 11/12 January 1935 ordered that the claim to receive the Sthalavasi Rice through an agent was untenable. The certified copy of the order is herein enclosed.

5. That the Memorialist respectfully begs to submit that the Muzerai Commissioner erred in the interpretation of the

the Government Order referred to by him in that, the said order could not override the express orders of His Highness The Maharaja who was pleased to make an exception in this case. That the order of 1819 of His Highness The Maharaja mentioned in the order by the Muzerai Commissioner does not apply to cases in which exception had been made.

6. That the very fact that Sthalavasi Rice allowance was being received through an agent upto 1932 clearly shows that effect was not given to the note made by the Muzerai Superintendent and - orders passed thereon.

7. That the Memorialist begs to submit that he has a house at Melkote, that he maintains a permanent gumasta and that if his gumasta absents himself for any period without permission the allowance may be stopped.

8. That the Memorialist most respectfully begs to draw the attention of the Government to the wholesome and respectful view to be taken of His Highness The Maharaja's wishes as has been observed in G.O. No: 3431-40 May 1-20-28 dated 2nd April 1921.

That the Memorialist most respectfully prays that the Government of His Highness The Maharaja be pleased to call for the records and peruse the Sanad produced and pass orders--as has been done in some cases--making an exception in the case of the Memorialist.

26/35-36
OFFICE OF THE MUZRAI COMMISSIONER
No.
12. SEP. 1935
IN MYSORE BANGALORE.

APPLICANT.

Mysore.
Dated 25/8/ 1935

377/M63 & 10-9-35
Forwarded with compliments to the Muzrai Commissioner in Mysore for favour of a Report.
By order

Bangalore
9th Sept 1935

For General Secretary to Govt

Order of the Mysore Commissioner in Mysore:-

References:

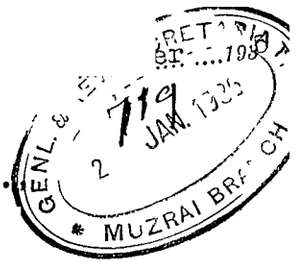
Government order No 1736-8 Mis 278-31-2 dated 29th/30th May 1932 issuing rules for the distribution of Shalavasa allowance at Melkote.

2. Correspondence ending with letter No. H. 547/32 dated 15-12-: from the Deputy Commissioner Mysore district, reporting on the petition of Sadidar Rangachar, claiming the right to receive the allowance through a gumasta

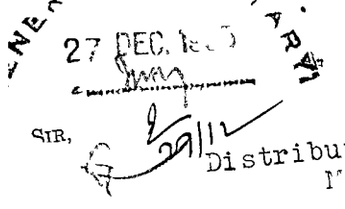
order No. R Dis 122/34-35 dated Bangalore 11/12th January 1935.

The Deputy Commissioner reports that Mr. Rangachar claim the right to receive Shalavasa allowance and other honours in the Sri Narayanaswami temple through a gumasta resident at Melkote under the authority of a sannad dated 13th December 1814 granted to his grandfather and that the payment of the allowance to him

FROM K. V. Anantaraman, Esq., B.A.,
~~N. MADHAVA ....U, Esq., B.A., B.L.~~,
Muzrai Commissioner in Mysore,
Bangalore.



To M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General Department



SIR, Distribution of Sthalavasa Rice Allowance at Melkote Temple through Gumastas.

I have the honor to refer to your Memo No.377/Muz.dated 10-9-1935 calling for a report on the petition of Mr. M. Rangachar praying for the above, I have the honor to forward herewith the records received with Mysore District Deputy Commissioner's letter No.H.409/35 dated 13-12-1935 together with this office file No.R.Dis.122/34-35 dated 12-1-1935.

This office file No.R.Dis.122/34-35 dated 12-1-1935 sent with explains the facts of the case in ----------

Section Revenue

File No. RR 2-35

Serial No. 4

No. 1067 Endorsement

To

Mr. M. Rangachar

Amildar, Nukkalgere Hobli

T. Narsipur Taluk

Sir,

With reference to his petition dated 25th August 1935 appealing against the order in R Dis 122/34-35 dated 12-1-1935 of the M.E in allowing his claims for the right to receive Kholabba allowance in the Sri Narasimhaswami temple at Mallikote, through a gumasta

Ranga

President at the place, Mr M. Rangachar is informed that Govt see no reason to interfere in the matter and that his petition is rejected.

ry No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

Date of issue 5-2-36

Signed by for B. Muddukrishnappa

List of enclosures .....

Copied by .....

Examined by .....

WD 01956—GPR—22,500—12-6-34

By order

L412

For General Staff

Memo No 1063/Secy Date 5-2-36

Copy W.C to the M.C in Miss Goodhouse

for information & the Hill

Reference to Correspondence

ending with his letter No H.C 26/35-36

dated 23.12.1935

By order

L412

For General Staff

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore ... 5 th February 1936.

No. 1062/Mug 182-35-6

ENDORSEMENT.

To

Mr. M. Rangachar,
Inamdar, Ukkalagere village,
T.Narsipur Taluk.

With reference to his petition dated 29th August 1935 appealing against order No.R.Dis 122/34-35 dated 12th January 1935 of the Muzrai Commissioner in Mysore rejecting his claims for the right to receive Sthalavasa allowance in the Sri Narayanaswami temple at Melkote, through a gumasta resident at the place, Mr. M.Rangachar is informed that Government see no reasons to interfere in the matter and that his petition is rejected.

By Order,

Sd/- M.Venkatesa Iyengar.
For General Secretary to Govt.

c.n.-3

P.T.O.

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Bangalore, 7th February 1936

12

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore.

To

L. Venkatesa Iyengar, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department.*

13 FEB. 1936

SIR,

With reference to your endo No.1063/Muz.182-35-4 dated 5-2-1936 forwarding a copy of the endorsement issued to Mr. M. Rangachar, Inamd Yokkulagere Village, T.Narsipur Taluk, rejecting his petition claiming the right to receive Otalavasa Allowance in the Sri Narayanaswami temple at Melkote through a gumasta, I have the honor to request that this office file No.M.Dis.182/34-35 dated 13-1-1935 sent with this office letter No.M.C.26/35-36 dated 27-12-1935 may kindly be returned.

I have the honor to be,

Sir,

Your most obedient servant,

Mallikarjunaiah

for Muzrai Commissioner
(absent on casual leave.)

Received with a thanks returning the above file.

Appendix F.G—1]

SUBJECT. .....

.....

.....

Section Muz

File No.

Serial No.

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the 193 .

Date of issue 28-2-1936

Signed by M.B. Jayasundera

No. 1194 Genl Reports

To .....

With reference to your letter No He.26/35-36 dated 12-2-1936, I am directed to return herewith your office file No R.Dis 122/34-H dated the 12th January 1935. Relating to the claim of Mr M. Rangachar for receiving ~~payment of~~ Mahalekha allowance at Malkote through a gumasta.

I have etc

List of enclosures .....

Copied by .....

Examined by .....

for Govt Agent
25/2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 26th February *193*6.

No. 1194/Muz
Encl Records

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Muzrai Commissioner
in Mysore, Bangalore.

Sir,

With reference to your letter No.H.C.26/35-36 dated 12-2-1936, I am directed to return herewith your office file No.R.Dis.122/34935 dated the 12th January 1935 relating to the claim of Mr.M.Rangachar for receiving Stalavasa allowance at Melkote through a gumasta.

I have the honour to be,
Sir,
Your most obedient servant,

For General Secretary to Government.

TSS.